

**Remarks**

The reply filed on March 23, 2004 was not deemed to be fully responsive to the prior Office Action because the submitted terminal disclaimer did not comply with 37 CFR 1.321(b) and/or (c). Applicant believes that the submitted terminal disclaimer did comply with 37 CFR 1.321 (b) and/or (c). In the interest of expediency, a terminal disclaimer signed by Eric B. Meyertons is sent as an accompanying document.


Claims 4091-4093, 4095-4110, 4112-4123, 4125, 4126, 4128-4170 and 5296-5399 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims of copending Application Nos. 09/840,937 (U.S. Pat. No. 6,732,794); 09/841,195; 09/841,500 (U.S. Pat. No. 6,591,907); 09/841,308 (U.S. Pat. No. 6,729,395); 09/841,303 (U.S. Pat. No. 6,702,016); 09/841,439; 09/841,300; 09/841,490; 09/841,438 (U.S. Pat. No. 6,581,684); and 09/841,283 (U.S. Pat. No. 6,729,397). Applicant does not believe that a terminal disclaimer is needed for the present application in light of the above-noted applications and patents. To expedite the case, however, a terminal disclaimer for the applications and patents is provided as an accompanying document.

Applicant submits that all claims are in condition for allowance. Favorable reconsideration is respectfully requested.

A Fee Authorization in the amount of \$110.00 is enclosed to cover fees for the terminal disclaimer. If an extension of time is required, Applicant hereby requests the appropriate extension of time. If any additional fees are required or if any fees have been overpaid, please appropriately charge or credit those fees to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account Number 50-1505/5659-08200/EBM.

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Atty. Dckt. No.: 5659-08200

Respectfully submitted,



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